

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION)	MDL No. 2804
)	
)	Case No. 1:17-md-2804
THIS DOCUMENT RELATES TO:)	
<i>Track Three Cases</i>)	Judge Dan A. Polster

**DECLARATION IN SUPPORT OF HBC SERVICE COMPANY
AND GIANT EAGLE, INC.'S MOTION FOR SUMMARY JUDGMENT**

Pursuant to 28 U.S.C. § 1746, I, Daniel J. Stuart, hereby declare as follows:

1. I am a partner at the office of Marcus & Shapira LLP, counsel for Giant Eagle, Inc. (“Giant Eagle”) in the above-captioned action.
2. I submit this Declaration on behalf of Giant Eagle, of which HBC Service Company (“HBC”) is a division, in support of HBC’s and Giant Eagle’s Motion for Summary Judgment and for the purpose of transmitting to the Court true and correct copies of the documents attached hereto.
3. The table below reflects the documents attached to Giant Eagle’s Brief in Support of Summary Judgment, and each listed document is a true and correct copy thereof.

SJ-Ex. 1	10-26-2009 DEA Report of Investigation: HBC Schedule III-V
SJ-Ex. 2	5-20-2011 DEA Report of Investigation: HBC List I chemicals
SJ-Ex. 3	5-20-2011 DEA Report of Investigation: HBC Schedule III-V
SJ-Ex. 4	8-13-2013 DEA Report of Investigation: HBC Schedule III-V
SJ-Ex. 5	12-3-2014 DEA Report of Investigation: HBC Schedule III-V
SJ-Ex. 6	1-11-2016 DEA Report of Investigation: GERX Schedule II-V
SJ-Ex. 7	5-26-2017 DEA Report of Investigation: GERX Schedule II-V
SJ-Ex. 8	DEA Diversion Investigators Manual Excerpts
SJ-Ex. 9	Lewis Colosimo Deposition Excerpts, March 15, 2021
SJ-Ex. 10	James Rafalski Deposition Excerpts, Vol.I (June 10, 2021), Vol. II (June 11, 2021)
SJ-Ex. 11	Ohio Board of Pharmacy Reports
SJ-Ex. 12	Carmen Catizone Deposition Excerpts, Vol. I (June 15, 2021), Vol. II (June 16, 2021)
SJ-Ex. 13	Trey Edwards Deposition Excerpts, Dec. 11, 2020
SJ-Ex. 14	George Pavlich Deposition Excerpts, December 14, 2020
SJ-Ex. 15	William DiFrangia Deposition Excerpts, January 14, 2021

SJ-Ex. 16	Damian Blakeley Deposition Excerpts, December 7, 2020
SJ-Ex. 17	DEA 30(b)(6) Deposition Excerpts (T. Prevoznik), Vol. I (April 17, 2019), Vol. II (April 18, 2019), Vol III (May 17, 2019)
SJ-Ex. 18	Walter Durr Deposition Excerpts, January 22, 2019
SJ-Ex. 19	Giant Eagle 30(b)(6) Deposition Excerpts (J. Tsipakis), December 13, 2018
SJ-Ex. 20	Greg Carlson Deposition Excerpts, January 8, 2019
SJ-Ex. 21	George Chunderlik Deposition Excerpts, January 16, 2019
SJ-Ex. 22	Anthony Mollica Deposition Excerpts, January 4, 2019
SJ-Ex. 23	Drug Enforcement Agency 30(b)(6) Deposition Excerpts (K. Wright), Vol. I (February 28, 2019)
SJ-Ex. 24	DEA 30(b)(6) Deposition Excerpts (J. Rannazzisi), Vol. II (May 15, 2019)
SJ-Ex. 25	DEA 30(b)(6) Deposition Excerpts (S. Harper-Avilla), April 11, 2019
SJ-Ex. 26	"Aggregate Production Quota History for Selected Substances"
SJ-Ex. 27	Eugene Tommasi Deposition Excerpts, December 18, 2018
SJ-Ex. 28	Rich Shaheen Deposition Excerpts, March 5, 2021
SJ-Ex. 29	Demetra Ashley Deposition Excerpts, March 15, 2019
SJ-Ex. 30	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibit 2
SJ-Ex. 31	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibits 8A-8C
SJ-Ex. 32	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibit 9
SJ-Ex. 33	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibit 10
SJ-Ex. 34	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibit 11
SJ-Ex. 35	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibit 12
SJ-Ex. 36	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibits 13A-B
SJ-Ex. 37	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibits 16A-B
SJ-Ex. 38	EXPERT REPORT OF SANDRA K.B. KINSEY, R.Ph, MBA., JULY 9, 2021 - Exhibit 19
SJ-Ex. 39	Giant Eagle 30(b)(6) Deposition Excerpts (J. Tsipakis), May 5, 2021
SJ-Ex. 40	Email to Michael Chappell and others from Kelly Chappell, Re: "Kelly Chappell - DEA Investigator Meeting", GE TL00002048-00002050
SJ-Ex. 41	Joseph Millward Deposition Excerpts, December 20, 2018
SJ-Ex. 42	Carmen Catizone December 12, 2017 Testimony to U.S. Senate Committee on the Judiciary
SJ-Ex. 43	DEA 30(b)(6) Deposition Excerpts (C. Brennan), November 13, 2020
SJ-Ex. 44	Emily Mooney Deposition Excerpts, April 16, 2021
SJ-Ex. 45	Demetra Ashley Deposition Excerpts, March 11, 2021
SJ-Ex. 46	GERX Sign-in sheet showing DEA 2020 inspection

I have read the above declaration and declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: July 23, 2021

/s/ Daniel J. Stuart
Daniel J. Stuart